

AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT FOR ARREST WARRANT

I, Austin Holmes, (hereinafter: Affiant) a Special Agent (SA) with the Federal Bureau of Investigation (FBI), Cleveland Division, being duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. Your Affiant has been employed as a Special Agent of the FBI since February 14, 2022. In June of 2022, Affiant was assigned to the Cleveland Division. Your Affiant currently serves on the FBI Cleveland Safe Streets Gang Task Force (CSSGTF). The FBI CSSGTF is a multi-agency, Federal, State and Local task force. Your affiant has experience through training at the FBI Academy and through my prior experience as a police officer related to drug investigations.
2. Your Affiant is an “investigative or law enforcement officer” of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Section 2516 of Title 18, United States Code.
3. I have personally participated in the investigation set forth below. I am familiar with the facts and circumstances of the investigation through my personal participation, discussions with other agents and law enforcement officers, discussions with witnesses involved in the investigation, and from my review of records and reports relating to the investigation. Unless otherwise noted, wherever in this Affidavit I assert that a statement was made, the information was provided by my personal observation, by another special agent, law enforcement officer or witness who had either direct or hearsay knowledge of that statement and to whom I or others have spoken or whose reports I have

read and reviewed. Affiant has not included each and every fact known to him concerning this investigation. Rather, Affiant has set forth only the facts Affiant believes are necessary to establish probable cause.

PURPOSE

4. This affidavit is being made in support of a criminal complaint charging JALEN A. MITCHELL ("Defendant"), with violations of Prohibited Acts involving Title 18 United States Code, Section 922(o), possession of a machine gun. Your Affiant was aware of the following information based on an investigation conducted by your Affiant, other FBI Agents, and members of the Cleveland Division of Police ("CPD").

PROBABLE CAUSE

5. On July 11, 2023, Detective O'Dea and members of the Cleveland Police Department ("CPD") Gang Impact Unit ("GIU"), executed a Cuyahoga County Residential Search Warrant at 16809 Langly Avenue, Cleveland, Ohio.
6. Jalen Mitchell, Tomeko Mitchell, and Tomeko Mitchell's grandson were located inside the residence and were taken into custody without incident. Jalen Mitchell was then advised of his Miranda Rights which he acknowledged that he understood.
7. Jalen Mitchell was advised that we had a search warrant for the residence for firearms or auto sears. Jalen Mitchell was asked if there were any firearms inside the residence, Jalen admitted that there were firearms in the residence. Jalen was asked if there were any auto sears (commonly referred to as switches) in the residence and Jalen stated that there were and that he could go get one. Jalen Mitchell was advised he would not be going upstairs, so Mitchell verbally directed Detectives to where the auto sear (switch) would be located in his bedroom upstairs.

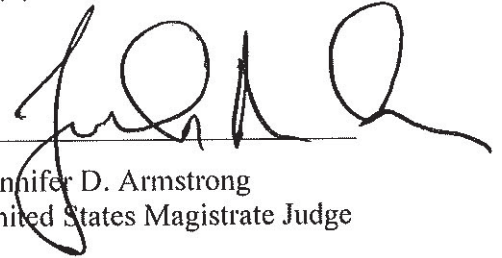
8. Detectives then conducted a systematic search of the residence and during the search several firearms/auto sear devices were recovered and identified as being:
 - a. (3) Auto Sear Devices (switches)
 - b. A Glock 30S 45 Caliber Serial # BXD5002
 - c. A Shinkosha SB2 .40 Caliber Serial # Unknown
 - d. A Kel Tec 22 Caliber PMR30 Serial # WXFY13
 - e. A Smith & Wesson 380 Serial # KAF6314
9. All evidence recovered was marked and entered into Gang Unit Property.
10. On November 16, 2023, the three auto sear devices (switches) seized on July 11, 2023, were tested by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) Firearms & Ammunition Technology Division. The Report of Technical Examination showed that Exhibit 1, Exhibit 2 and Exhibit 3 (three auto sear devices), each qualified as a “machinegun” as defined in 18 U.S.C. § 921(a)(24) and 26 U.S.C. § 5845(b).
11. Based on the foregoing, your Affiant respectfully submits that there is probable cause to establish that on July 11, 2023, JALEN A. MITCHELL committed violations of

Prohibited Acts involving Title 18 United States Code, Section 922(o), unlawful possession of a machine gun in the Northern District of Ohio, Eastern Division.



Austin Holmes
Special Agent
Federal Bureau of Investigation

This affidavit was sworn to by the affiant by telephone after a PDF was transmitted by email, per Crim. R. 41(d)(3) this 15th day of December 2023 at 9:45 a.m.



Jennifer D. Armstrong
United States Magistrate Judge